

AO 440 (Rev. 06/12) Summons in a Civil Action

# UNITED STATES DISTRICT COURT

for the

Southern District of Ohio

Alan Willis, Individually and on Behalf of  
All Others Similarly Situated,

*Plaintiff(s)*

v.

Big Lots, Inc., Steven S. Fishman, Joe R. Cooper,  
Charles W. Haubiel II and Timothy A. Johnson,

*Defendant(s)*

Civil Action No. 2:12-cv-00604-MHW-NMK

## SUMMONS IN A CIVIL ACTION

To: *(Defendant's name and address)* Timothy A. Johnson  
c/o John J. Kulewicz, Vorys, Sater, Seymour & Pease LLP  
52 East Gay Street, P.O. Box 1008  
Columbus, OH 43216-1008

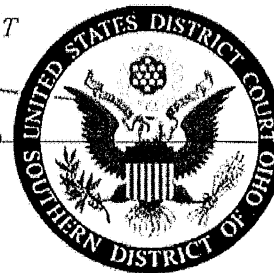
A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are: Joseph F. Murray  
Brian K. Murphy  
Murray Murphy Moul + Basil LLP  
1533 Lake Shore Drive  
Columbus, OH 43204

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

Date: 4/5/2013

CLERK OF COURT



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**PROOF OF SERVICE***(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))*

This summons for (name of individual and title, if any) Timothy Johnson c/o John Kulewicz  
was received by me on (date) 4/8/2013.

☒ I personally served the summons on the individual at (place) 52 E. Gay St.  
Columbus, Ohio 43215 on (date) 4/8/2013; or

☐ I left the summons at the individual's residence or usual place of abode with (name) \_\_\_\_\_,  
a person of suitable age and discretion who resides there,  
on (date) \_\_\_\_\_, and mailed a copy to the individual's last known address; or

☐ I served the summons on (name of individual) \_\_\_\_\_, who is  
designated by law to accept service of process on behalf of (name of organization) \_\_\_\_\_  
on (date) \_\_\_\_\_; or

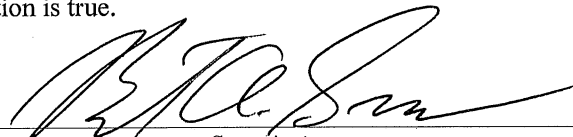
☐ I returned the summons unexecuted because \_\_\_\_\_; or

☐ Other (specify): \_\_\_\_\_

My fees are \$ \_\_\_\_\_ for travel and \$ \_\_\_\_\_ for services, for a total of \$ 0.00.

I declare under penalty of perjury that this information is true.

Date: 4/8/2013

  
\_\_\_\_\_  
Server's signature  
Bart Snow - Process Server  
\_\_\_\_\_  
Printed name and title

2844 Sherwood Rd, Cols, Ohio 43209  
\_\_\_\_\_  
Server's address

Additional information regarding attempted service, etc: